

COUNCIL REPORT Development Services Department For the May 28, 2019 Council Meeting

DATE:

May 16, 2019

File: DP 18-29

TO:

Jim Zaffino, CAO

FROM:

Jaleen Rousseau, Planner

RE:

Application: Development Permit with Variances (DP 18-29)

Address: 1975 Shannon Lake Road

Legal: Lot A, DL 2602, ODYD, Plan KAP92694

Owner: 1077915 BC LTD

Agent: New Town Planning and Architecture Services

RECOMMENDED MOTION:

THAT Council authorize the issuance of a Development Permit (DP 18-29) to construct 97 units in 13 buildings ranging between three and four storeys in height, subject to the conditions outlined in and attached to the Development Permit; and

THAT Council authorize a variance to S.4.10.3(b) of City of West Kelowna Zoning Bylaw No. 0154 to vary the requirement for all truck and van loading spaces to be located to the rear and side of principal buildings to allow five of the six required spaces to be located along the shared private access road across from the development; and

THAT Council authorize a variance to S10.9.5(f) of City of West Kelowna Zoning Bylaw No. 0154 to vary the maximum allowable building heights for 13 townhouse structures from 9.0 m (29.5 ft) to a maximum of 3 storeys to:

- A maximum of 11.4 m (37.4 ft) and 4 storeys for Unit Types A_R, B1_R and B2_R to accommodate access to rooftop decks;
- A maximum of 9.3 m (30.5 ft) and 3 storeys for Unit Types A, B1 and B2; and
- A maximum of 11.5 m (37.7 ft) and 4 storeys for Unit Type C.

THAT issuance of the Development Permit be withheld pending:

- The receipt of landscape security for the landscape plan attached to DP 18-29 as Schedule 'C' in the amount of \$272,067.00;
- The registration to title of the following statutory rights of ways to secure:
 - A connection to an existing 200mm sanitary sewer main to the south and located on the neighbouring property;
 - A connection to an existing 250mm storm sewer main to the south and located on the neighbouring property; and
 - o The accessibility in perpetuity of an approved turnaround alternative within the internal road network and the installation of signage identifying this turn around.

THAT if the Development Permit has not been issued within one year from the date of approval, the Permit shall be deemed to have been refused and the file closed.

RATIONALE:

- The proposal provides low-density housing options adjacent to an urban arterial road and in close proximity to a major transportation route (Highway 97);
- > The siting, form and character, and landscaping of the proposed development is generally consistent with the minimum requirements for multiple family developments as established in the Development Permit Guidelines contained in the Official Community Plan and the development is well screened;
- > The proposal includes the provision of two and three bedroom units with varying unit features which will serve a range of lifestyles and incomes;
- The proposal conforms to the principal uses and regulations outlined in Zoning Bylaw No. 0154 for the Low Density Multiple Residential Zone (R3), with the exception of two variances (building height and location of loading spaces), which are considered to have minimal impact on the site and adjacent properties; and
- > The proposed height variance to a maximum of 4 storeys for some of the buildings is to accommodate access to rooftop decks and is not intended to have negative impacts to surrounding neighbours based on site location, topography and existing vegetation that will serve to screen the development.

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14 (s. 490) of the *Local Government Act* to issue a Development Permit. This Development Permit is specifically for form and character of a multiple family residential development. Section 498 of the *Local Government Act* gives Council the authority to issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

BACKGROUND:

This application was brought before Council for consideration on May 14, 2019. However, the application was deferred to the next Council date (May 28, 2019) due to an error in the notification mailing list generated by the City's GIS mapping system. This error resulted in the omission of 20 properties contained within the notification area from being added to the mailing list. This issue has been identified and the City's GIS department is working to correct it. On May 15, 2019, letters were hand delivered to the 20 properties that had not previously received notification.

Proposal

The applicant is requesting the issuance of a Form and Character Development Permit with Variances to facilitate the construction of a 97 unit strata townhouse units in 13 structures. The proposal in its entirety includes:

- 8 two bedroom units and 89 three bedroom units;
- Four townhouse structures with rooftop decks (38 units);
- Nine townhouse structures without rooftop decks (59 units); and
- 3,089.4 m² of outdoor amenity space that includes greenspace, seven community garden plots, benches and a playground area comprised of 630 ft² geared towards children aged 5 12 years.

The requested variances pertain to building height to accommodate access to rooftop decks and the location of loading spaces.

Location and Surrounding Uses

The 27,599.6 m² (6.82 acres) subject property is a large hillside parcel located within the Shannon Lake neighbourhood (See Attachments 2 & 3). It was rezoned in 2011 (Z08/09) from a Manufactured Home Park zone to a Low Density Multiple Residential zone.

The subject property is located adjacent to and accessed from Shannon Lake Rd. From Shannon Lake Rd an unnamed shared private access road runs through and past the subject property and is the primary access for 20 manufactured homes situated at the end of this access road, just south of the subject property (See Figure 1).

While the subject property is adjacent to Shannon Lake Road, it is elevated approximately 12 m above the Road (and 44 m below Hedgestone Drive, a nearby single family subdivision). The property was previously disturbed resulting in a significant area at the top of the site that is

relatively flat. The remainder of the property is comprised of environmentally protected lands that slop down to Shannon Lake Rd to the north and the adjacent manufactured home park (Crystal Springs) to the east. A single detached dwelling and accessory structure are currently maintained on site.

Uses surrounding the subject property include:

- North Shannon Lake Road and a remnant of Shannon Highlands Municipal Park (natural, undeveloped).
- East Crystal Springs manufactured home park.
- West Shannon Highlands Municipal Park (natural, undeveloped).
- South Shannon Highlands Municipal Park (natural, undeveloped), a shared

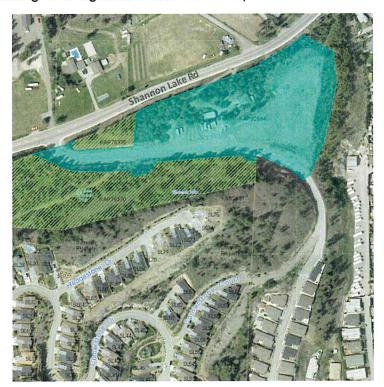


Figure 1: Subject Property Location Adjacent to Shannon Lake Rd

private access road and 20 manufactured homes at the end of the access road.

POLICY AND BYLAW REVIEW:

Official Community Plan (OCP) Bylaw No. 0100

Land Use Designation

The subject property maintains a Land Use Designation of *Low Density Multiple Family (LDMF)*, which anticipates semi-detached and attached townhouses. The purpose of this designation is to provide a broader range of housing opportunities in areas served by transit and in walking distance to community amenities, shops and services, while acknowledging the adjacent land uses. The proposal is aligned with the LDMF designation.

Development Permit Areas (DPAs)

The proposed development is subject to three of the City's DPAs: Hillside; Sensitive Terrestrial Ecosystem; and Form and Character for General and Multiple Family and Intensive Residential development.

In accordance with S.4.3.4, DPA 4 – Exemptions, Item 3 and S.4.3.7, DPA 6 – Exemptions, Item 3 of the OCP, the Hillside and Sensitive Terrestrial Ecosystem DPAs are considered to be adequately addressed for this application for the following reasons:

- Site development is to occur primarily on the portion of the subject property that has been previously disturbed;
- A Section 219 No Build / No Disturb covenant respecting geotechnical and environmental conditions is currently registered to title which addresses:
 - Preservation of steep slopes and existing vegetation (all slopes along the north and east parcel boundaries);
 - Required building setback (2.0 m setback from the crest of the fill embankment located in the northeast portion of the site); and
 - o Rock fall hazard area (lands south of and abutting the access road).
- The applicant has submitted an addendum to the geotechnical report contained within the Section 219 No Build / No Disturb covenant confirming the suitability of the site for the proposed development in its current form.

The Form and Character DPA for General and Multiple Residential development guidelines encourage pedestrian oriented design, safe communities, and visual interest through careful and thoughtful site design, building form and character, and landscaping. The proposal is found to be in general accordance with these guidelines.

Site Design

Building Locations

The OCP guidelines encourage appropriate orientation and relationship to adjoining uses. As a result of topography and existing vegetation, the subject property is a sufficient distance from adjacent single family (south, upslope), modular (south and east, down slope) and agricultural uses (north, downslope and across Shannon Lake Rd) resulting in limited anticipated impacts to adjacent uses.

The proposal includes 13 townhouse structures clustered in a previously disturbed area of the site (See Figure 2). Five of the townhouse structures (37 units) are located around the primary amenity space area (highlighted in Figure 2 with a dashed blue line).

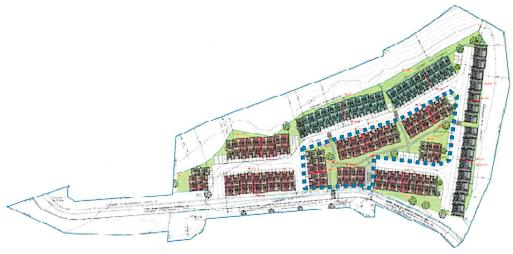


Figure 2: Site Layout

This area includes greenspace, an internal pathway, benches, seven community garden plots and play equipment for children aged 5 to 12 valued at \$30,000.

The amenity space provided for the entire subject property (3,089.4 m²) includes the green areas depicted in Figure 2. The provision of this amount of amenity space exceeds the minimum required space of 2,425 m².

Unit Types and Sizes

The proposal includes a range of options respecting unit type, size and layout, which will serve a range of lifestyles and incomes. These variations are identified in Table 1 below.

Table 1: DP 18-29 Unit Types and Sizes

Unit Type	Number of Units	Number of Bedrooms	Total Gross Floor Area	Garage Style	Rooftop Deck	Total Building Height
Unit A _R	1	2 + flex*	1,689.6 ft ²	Tandem	Yes	11.4 M (37.4 ft)
Unit A	7	2 + flex*	1,609.5 ft ²	Tandem	No	9.3 m (30.5 ft)
Unit B1 _R	11	3	1,657.2 ft ²	Tandem	Yes	11.4 m (37.4 ft)
Unit B2 _R	11	3	1,659.5 ft ²	Tandem	Yes	11.4 m (37.4 ft)
Unit B1	26	3	1,577.1 ft ²	Tandem	No	9.3 m (30.5 ft)
Unit B2	26	3	1,579.4 ft ²	Tandem	No	9.3 m (30.5 ft)
Unit C	15	3	1,931 ft ²	Double	Yes	11.5 m (37.7 ft)
TOTALS	97	2 Bdrms = 8 3 Bdrms = 89	160,473.8 ft²	Tandem = 82 Double = 15	38 Rooftop Decks	N/A

^{*}Flex space offered in Units A_R and A are rooms smaller than a typical bedroom and intended to serve as a space that can change use to suit a variety of needs (e.g. office, movie room, extra bedroom, etc).

Form & Character

The OCP encourages that where heights of buildings are in excess of three storeys that the fourth storey should be noticeably stepped back. The four buildings proposed at four storeys do not include living space on the fourth storey. Rather, the fourth storey is to accommodate access to rooftop patios.

The OCP encourages variation in building facades through the incorporation of a variety materials and colours, as well as window shapes and sizes. The proposal includes a basic colour and material scheme that is organized in a way that adds interest and textured detail to the development (See Figures 3 & 4). The building materials and colour scheme are largely comprised of hardie panels coloured in black and greys in addition to blue and yellow accent colours that vary between structures to provide differentiation amongst the buildings. Refer to Attachment 5 for renderings of all 13 proposed structures.



Figure 3: Rendering Depicting Townhouse Form and Character



Figure 4: Rendering Depicting Townhouse Form and Character

Landscape Plan

Landscaping is intended to enhance the appearance of areas of private development. The landscape plan includes a mix of trees, shrubs, grasses and perennials. The proposal includes landscaping to be located primarily within the amenity space area and around the townhouse complexes. The total landscaping security is \$272,067.00 (at 125% of the cost). Prior to issuance of the Permit, it is recommended that the security be required to be submitted to ensure the installation of the identified landscape plantings and hardscaping. Attachment 6 for the Landscape Plan.

Zoning Bylaw No. 0154

The proposal conforms to the principal uses and regulations outlined in the Zoning Bylaw for the Low Density Multiple Residential Zone (R3), including density, parcel coverage, frontage and setbacks, with the exception of height. The proposed development meets the minimum required parking spaces. However, the applicant proposes to locate five of the six required loading spaces contrary to applicable Zoning regulations. The applicant is requesting two variances to applicable Zoning Bylaw requirements in order to facilitate the development as proposed:

Variance Requests

1. Location and Number of Loading **Spaces**

To vary the requirement for all truck and van loading spaces to be located to the rear and side of principal buildings to allow five of the six required spaces to be located along the shared private access road across from the development (See Figure 4).

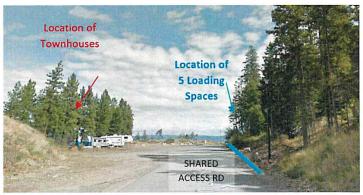


Figure 5: Loading Spaces on Access Road

The City's Zoning Bylaw requires that loading spaces are located at the rear and side of the residential structures that they serve. Locating these spaces outside of the internal road network and so far from the buildings does not provide for a realistic approach to transportation of boxes,

furniture and the like to residential units within the development where necessary. Rather, the present location of these loading spaces is likely to result in the parking of these large vehicles within the internal road network, in front of buildings. This design has the potential to interrupt the flow of regular traffic, garbage collection, delivery trucks and emergency vehicles. Ultimately, the frequency of internal circulation conflicts are anticipated to be minimal, and would largely be associated with the strata road width (6 m). In consideration of all related loading space considerations, staff are recommending support of the proposed loading space location variance.

Additionally, as the City is currently undertaking a Zoning Bylaw review, an evaluation of the potential reduction of required loading spaces has been planned as part of this review. Should this review result in staff recommending a reduction in this type of parking, Council must first consider and then approve this regulatory change.

2. Height

To vary the maximum allowable building heights for 13 townhouse structures from 9.0 m (29.5 ft) to a maximum of 3 storeys to:

- 1. A maximum of 11.4 m (37.4 ft) and 4 storeys for Unit Types A_R, B1_R and B2_R with rooftop decks;
- 2. A maximum of 9.3 m (30.5 ft) and 3 storeys for Unit Types A, B1 and B2; and
- 3. A maximum of 11.5 m (37.7 ft) and 4 storeys for Unit Type C.

Staff are recommending support of the proposed height variance, as the request is not to accommodate an additional storey but rather building form and rooftop patio accesses.

Four of the structures are proposed at four storeys in height to accommodate access to rooftop patios (38 units). An additional storey of habitable space is not being proposed. These structures are located primarily along the northern and eastern parcel boundaries. The remaining nine structures are proposed at three storeys in height and do not include rooftop patios (59 units). All 13 structures are proposed to exceed the maximum allowable building height of 9.0 m (29.5 ft) as stipulated in the City's Zoning Bylaw. The applicant has provided a rationale in support of the proposed variances (See Attachment 7). Additionally, as the City is currently undertaking a Zoning Bylaw review, an evaluation of the exclusion of accesses to roof top decks has been planned as part of this review. Should this review result in staff recommending this building component is excluded from the calculation of height, Council must first consider and then approve thus regulatory change.

No negative impacts resulting from the proposed variances are anticipated as a result of the sites' elevation above Shannon Lake Road and the existing vegetative buffer within the protected area between the proposed buildings and the Road.

Technical Review

Site Access

The property is accessed off of Shannon Lake Road (Urban Arterial Road). Parcel frontage on Shannon Lake Rd is currently built to an urban standard and includes sidewalks and streetlights. Further improvements are not required.

Traffic

The City's Works and Servicing Bylaw No. 0249 requires that adequate turnarounds are provided at 90 m intervals. However, topography of the site would necessitate undesirable rock cuts to achieve this preferred interval. As a result, the City has accepted an alternative approach that would allow for this requirement to be satisfied within a portion of the internal roadway while also ensuring that a turnaround is provided within a reasonable distance. This requires:

- Protection of the turnaround alternative through registration of a statutory right of way to ensure it remains accessible in perpetuity;
- Signage installed identifying the accessibility and location of the turnaround; and
- That the internal roadway meets the minimum required standards for emergency vehicles.

The applicant has confirmed that the minimum required standards for emergency vehicles can be accommodated within the internal roadway. Registration of a statutory right of way to ensure that the turnaround remains accessible in perpetuity and the installation of signage is achieved will be required as a condition of issuance of the Permit.

A traffic impact assessment is not required for developments less than 100 units as per the City's Standardized Terms of Reference. However, it is expected that the proposed development will result in increased volume of traffic currently experienced by the 20 residents located along the existing shared private access route.

Internal Circulation

The site plan proposes the first of two points of access for vehicular traffic into the multiple family development approximately 150 m up the shared private access road from Shannon Lake Rd. The internal roadway serving the clustered townhouses begins at these access points, which forms a crescent (publicly accessible alternate turnaround). From the northeastern corner of the crescent the internal roadway continues further into the remainder of the multi-family development, which includes a single hammerhead at the southeast end of the development which satisfies the needs of emergency vehicles. This design meets the standards required under the City's Works and Services Bylaw No. 0249 for strata roads, which allows for reduced road width (6 m) and servicing standards than what is required for public roadways (18 – 20 m) within the City.



Designated pedestrian access throughout the site has not been provided. Rather, it is limited to four delineated crosswalks (one crossing the shared private access road and three crossing the internal road network) and a paved trail through the primary amenity space area (See Figure 6). The City's OCP directs that site design should separate vehicular and pedestrian traffic where possible. Where this is not possible, special design treatment should be utilized to ensure safe pedestrian movement. This includes provisions for movement from parking areas to

destinations. While provisions for safe pedestrian movement have not been provided for throughout the entire site, the proposal does make an effort to provide pedestrian pathways through the primary amenity space area in addition to pedestrian crossings throughout the site.

Parking

Parking is provided for each unit within either a tandem (82 units) or double garage (15 units). Driveway lengths in front of garages vary with a minimum depth for all driveways of 1.5 m (4.9 ft). Driveways are not intended to accommodate parked cars. In total, 194 resident stalls, 20 visitor stalls (four of which are accessible stalls) and six loading spaces have been provided throughout the site. These parking provisions are consistent with the number of parking spaces required for each parking category.

Site Servicing

The proposed development can be serviced by existing area services. On December 18, 2018 Council approved a Petition to Amend the Boundary of the City of West Kelowna Rose Valley Water System to include the subject property within this service area (Bylaw No. 0239.03). Sanitary and Stormwater service connections are available to the south of the subject property. However, registration of statutory rights of ways (SRWs) is necessary to secure these connections through to neighbouring property. Registration of these SRWs will be required as a condition of issuance of the Development Permit.

Geotechnical Investigation

In addition to the existing Section 219 No Build / No Disturb covenant registered to title the applicant has submitted an addendum to the supporting geotechnical report for the site commissioned in 2012. The addendum concurs with the covenant content for the present development proposal with the additional recommendation for mitigation of a rock fall hazard area along the strata road (installation of chain-link fencing). The proposed development has been designed in consideration of all geotechnical and environmental components.

Covenants

The subject property currently maintains several legal documents respecting site use and development including, but not limited to:

- (CA3415589) Section 219 No Build / No Disturb covenant respecting geotechnical and environmental conditions:
- (LB041628) Emergency access easement over the shared private access road; and
- (LB500110) Statutory Right of Way in favour of West Kelowna to ensure a 3 m wide public use recreational trail in the northeastern most corner of the subject property and connecting down to Shannon Lake Road in the interest of residents of 1975 Shannon Lake Rd. The majority of this right away occurs on public land and is currently undeveloped. The City has no plans to further develop this trail connection.

View points

The proposed development will be visible from Shannon Lake Road and the shared private access road. The protected hillside area along the north end of the subject property is vegetated and will provide partial screening along Shannon Lake Rd (See Figures 7 - 10).



Figure 7: Existing View Travelling Eastbound on Shannon Lake Rd



Figure 8: View of Development from Shannon Lake Road (Provided by Applicant)

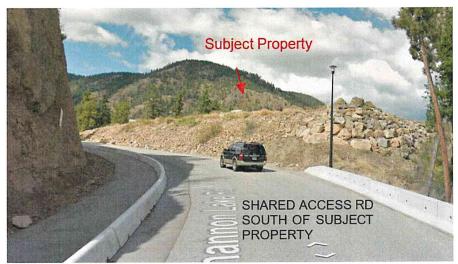


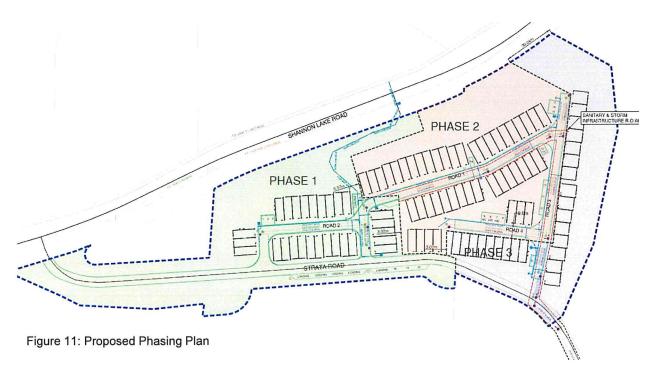
Figure 9: View of Development Travelling up the Shared Private Access Rd Towards Shannon Lake Rd



Figure 10: View Point of Development from Shannon Lake Road (Provided by Applicant)

Phasing

The applicant has proposed to phase development of the site for financing and occupancy purposes. Phasing of this project will require a strata subdivision application process. Details of the phasing plan are shown in Figure 11 below.



As the parcel is zoned R3, each phase will be required to meet the minimum zoning requirements applicable for that zone, including but not limited to parcel frontage and setbacks. The primary amenity space area is located in Phase II, however, the landscape cost estimate includes the costs related to the playground, paved internal trail network and associated landscaping, which will be secured as a condition of issuance of the Development Permit.

Public Notification

In accordance with the *Local Government Act* for the proposed variances, letters were sent to all property owners and their tenants (124 notices) within 100 metres of the subject property in

anticipation of the May 14, 2019 Council meeting date (Attachment 8). However, the application was deferred to the next Council date (May 28, 2019) due to an error in the notification mailing list generated by the City's GIS mapping system. This error resulted in the omission of 20 properties contained within the notification area from being added to the mailing list. This issue has been identified and the City's GIS department is working to correct it. On May 15, 2019, letters were hand delivered to the 20 properties in anticipation of the May 28, 2019 Council meeting date, as these parcels are accessed via the shared private access road. A development notice sign was also placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260.

As of the date of this report, two submissions from the public were received. One cited concerns with traffic congestion and speed on Shannon Lake Road and the potential for rocks and boulders being pushed or tossed down slope towards Crystal Springs. The second letter cited concerns with traffic congestion on Shannon Lake Rd and the private shared access road, the potential for rentals and that future residents of the proposed development would not be restricted to a minimum age of 55 years. This author also noted concern that they did not receive a notification letter, which highlighted the GIS mailing error for the City and prompted the additional mailing (Attachment 9).

ALTERNATE MOTIONS:

1. Postpone Consideration of Development Permit with Variances DP 18-29

THAT Council postpone consideration of Development Permit (DP 18-29).

Council may wish to postpone the issuance of the Development Permit and require the applicant to redesign components of the proposal in accordance with the City's Zoning Bylaw or Official Community Plan Development Permit Guidelines.

2. Deny Consideration of Development Permit with Variances DP 18-29

THAT Council deny Development Permit (DP 18-29).

Council may wish to deny the requested variances and require the applicant to redesign the proposal in accordance with the City's Zoning Bylaw and/or Official Community Plan Development Permit guidelines. If the proposal was revised to avoid the proposed variances, the site plan and proposed building siting would have to be redesigned and the Development Permit would require further consideration by Council.

COUNCIL REPORT/RESOLUTION HISTORY:

Date	Report Topic/Resolution	Resolution No.
May 14, 2019	THAT Council defer consideration of DP 18-29, 1975 Shannon Lake Road.	C190/19

Respectfully submitted,	B
Jaleen Rousseau	Brent Magnan
Planner	Planning Manager
Mar	The state of the s
Nancy Henderson	Bob Dargatz
General Manager of Development Services	Development Manager / Approving Officer Development Engineering
	Powerpoint: Yes ■ No □
Attachments:	H = 1 = 15
 Draft Development Permit DP 18-40 (not all documents a Subject Property Map 	ittached)
Context Map	Approved for Agenda
4. Site Plan	1 / / / /
Architectural Plans/Renderings/Elevations	Him Salpin May 23,2019
Landscape Plan Variance Rationale	Jim Zaffino, CAO Date
Public Notification Map	<i>"</i>
9. Public Correspondence	



CITY OF WEST KELOWNA DEVELOPMENT PERMIT WITH VARIANCES **DP 18-29**

To: 1077915 BC, LTD., INC. NO. BC1077915 207 - 12639 - 80th Avenue Surrey, BC, V3W 3A6 New Town Architecture and Engineering Inc. 1464 St. Paul Street Kelowna, BC, V1Y 2E6

- 1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

LOT A, DL 2602, ODYD, PLAN KAP92694

(1975 Shannon Lake Road)

- 3. This Permit allows the construction of 97 townhouse units in 13 buildings, ranging between three and four storeys in height and in the Multiple Family and Intensive Residential Development Permit Area (DPA 3) Design Guidelines, subject to the following conditions and related Schedules:
 - A. The siting, exterior design, and finish of buildings are to be in accordance with the Architectural submission (site plan, elevations, renderings, and materials and colour schedule) by New Town Architecture and Engineering Inc., dated April 3, 2019 and attached within Schedule "A" subject to the following:
 - B. The dimensions and siting of the structures to be constructed on the land be in accordance with Civil Engineering Drawings (site servicing and grading plans, stormwater management plan, and erosion, sediment control plan and fire truck turning movements), dated November 21, 2018 and Servicing Feasibility Study by New Town Architecture and Engineering Inc., dated August 23, 2018 and attached within Schedule "B" and subject to the following:
 - C. The landscaping to be provided on the land be in accordance with Landscape Drawings by Ecora Engineering and Resource Group Ltd, dated February 25, 2019 and attached within Schedule "C"; and
 - D. All construction activities to be conducted on the land be in general accordance with the Geotechnical Hazard Assessment by Beacon Geotechnical, dated December 5, 2018, Rock Fall Protection Email dated January 25, 2019 and New Town Architecture and Engineering Inc. Site Plan PR. Features, Drawing No. 004, dated April 10, 2019 attached within Schedule "D".

- E. The following variances to Zoning Bylaw No. 0154 are included as part of this Development Permit:
 - A. To S.10.9.5(f) to vary the maximum allowable building heights for 13 townhouse structures from 9.0 m (29.5 ft) to a maximum of 3 storeys to:
 - A maximum of 11.4 m (37.4 ft) and 4 storeys for Unit Types A_R, B1_R and B2_R - with rooftop decks;
 - A maximum of 9.3 m (30.5 ft) and 3 storeys for Unit Types A, B1 and B2;
 and
 - A maximum of 11.5 m (37.7 ft) and 4 storeys for Unit Type C.
 - B. To S.4.10.3(b) not require five of the six required truck and van loading spaces to be located to the rear and side of the principal buildings.
- 4. As a condition of the issuance of this Permit the following requirements shall be satisfied:
 - A. The City of West Kelowna is holding a landscape security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of the Permit within the time provided, the City of West Kelowna may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out below, the security shall be returned to the Permittee. There is filed accordingly:

An Irrevocable Letter of Credit or Bank Draft in the amount of \$272,067.00.

- B. Registration to title of the following statutory rights of ways have been secured:
 - 1. A connection to an existing 200mm sanitary sewer main to the south and located on the neighbouring property;
 - 2. A connection to an existing 250mm storm sewer main to the south and located on the neighbouring property; and
 - 3. The accessibility in perpetuity of an approved turnaround alternative within the internal road network and the installation of signage identifying this turn around.
- 5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof. Should any changes be required to this permit, please ensure that you obtain written approval from City of West Kelowna prior to making any changes.
- 6. If this Development Permit has not been issued within one year from approval, Development Permit DP 18-29 with Variances shall be deemed to have been refused and the file will be closed.
- 7. This Permit is not a Building Permit.
- 8. Subject to the terms of the permit, where the holder of a permit issued under the *Local Government Act* does not substantially commence any construction with respect to which

the permit was issued within one year after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. CXXX/19 PASSED BY THE MUNICIPAL COUNCIL ON APRIL XX, 2019.

	Signed on
	City Clerk
	gree with the conditions of Development Permit DP 18-29 pies of the Permit will be provided to onsite personnel at Signed on
	Property Owner or Agent
ISSUED on	

Attached Schedules:

Schedule "A"

1. Shannon Lake Townhouse Development Architectural Drawings by New Town Architecture and Engineering Inc, dated March 6, 2019.

Schedule "B"

- 1. Civil Engineer Drawings by New Town Architecture and Engineering Inc, dated November 21, 2018.
- 2. Servicing Feasibility Study by New Town Architecture and Engineering Inc, dated August 23, 2018.

Schedule "C"

 Landscape Plan and Estimate of Probably Costs – Reference: LDP 01 / LDP 02 / LDP 03 by Ecora Engineering and Resource Group Ltd, dated February 25, 2019.

Schedule "D"

- 1. Geotechnical Hazard Assessment by Beacon Geotechnical, dated December 5, 2018;
- 2. Rock Fall Protection Email dated January 25, 2019; and
- 3. Site Plan PR. Features, Drawing No. 004, dated April 10, 2019.

H:\DEVELOPMENT SERVICES\PLANNING\3060 Development Permits\3060-20 Permits\2018\DP 18-29 1975 Shannon Lake Rd\Permit\DP 18-29.docx



CITY OF WEST KELOWNA

SUBJECT PROPERTY: DP 18-29



File: DP 18-29

Legal Description: Lot A, DL 2602, ODYD, Plan KAP92694





Date: 2018-08-30



CITY OF WEST KELOWNA

CONTEXT MAP: DP 18-29



File: DP 18-19

Legal Description: Lot A, DL 2602. ODYD, Plan KAP92694

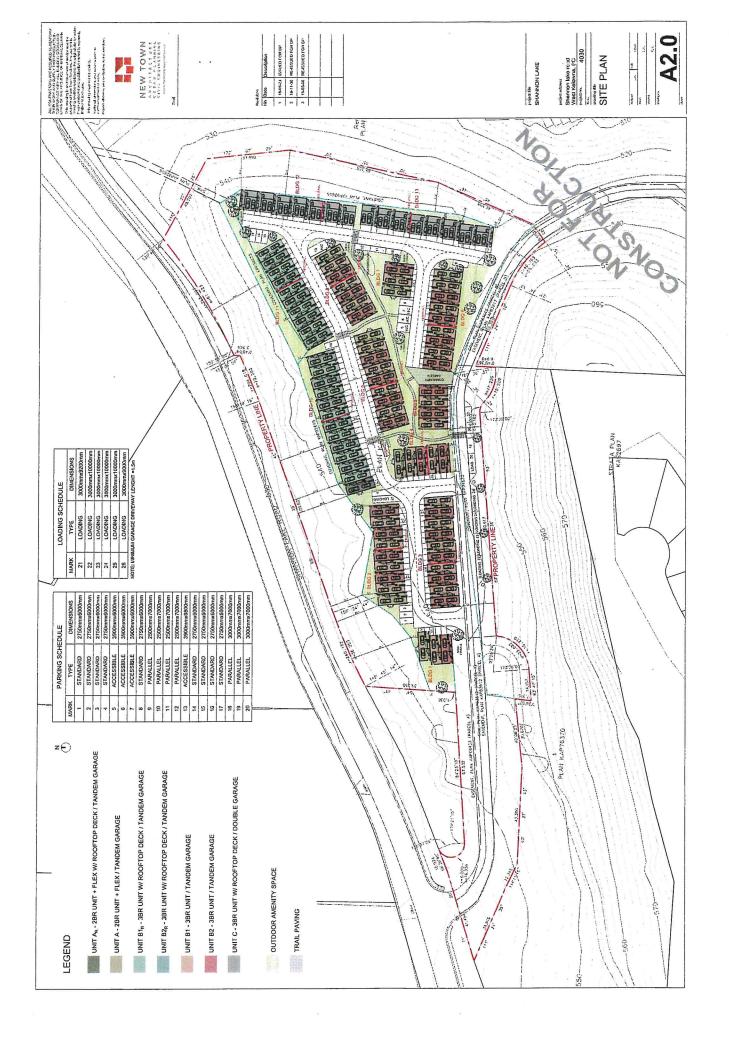


150 300 600 Metres

1:10,000



Date: 2018-08-30



SHANNON LAKE TOWNHOUSE DEVELOPMENT

RE-ISSUED FOR DEVELOPMENT PERMIT, MARCH 06, 2019

ARCHITECTURAL
NEW TOWN ARCHITECTURE & ENGINNERING INC.
1464 St. Paul Street Kelowra, B.C., VTY 2E6

Roman Yamschikov, Architect AIBC ph: 250 860 6185, fax: 250 860 0985 roman@newtownservices.net

Lenka Aligerova, Building Design Technologist ph: 250 860 8185, fax: 250 860 0985 lenka@newdownservices.net

DRAWING LIST:

ADO	COVER SHEET	
A1.0	ZONING & CODE REVIEW	W
A2 0	SITE PLAN	
A3 IAR	UNIT PLANS AR (2BR.F	AR (2BR-FLEX-DECK)
A3.2A	UNIT PLANS A (2BR-FLEX)	(EX)
A3 3BR	UNIT PLANS BYR & B26	BIR & B2R (3BR-DEC
A3.48R		BIR & B2R (3BR-DEC
A3.5B	UNIT PLANS 81 & B2 (3BR)	BR)
A3 6C	UNIT PLANS C (3BR-DECK)	DECK)
A4.0	MATERIAL BOARD	
A	ELEVATIONS BLDG 1,2,6,789	5,789
A 2	ELEVATIONS BLDG 3&4	
A4.3	ELEVATIONS BLDG 548	
A4 4	ELEVATIONS BLDG 10	
A4.5	ELEVATIONS BLDG 11	
A.c	ELEVATIONS BLDG 12	
7.44	ELEVATIONS BLDG 13	
A5.1A	SECTIONS UNITS TYPE	٧
A5 28	SECTIONS UNITS TYPE B	89
A5.3B	SECTIONS UNITS TYPE B	8
A5.4C	SECTIONS UNIT TYPE C	
A9.1	DEVELOPMENT VIEW 1	
A9.2	DEVELOPMENT VIEW 2	
A9.3	DEVELOPMENT VIEW 3	
	PENEL ADMENT MENT A	

NEW TOWN ARCHITECTURE & ENGINNERING INC. 1464 St. Paul Street Kelowns, B.C., V1Y 2E6

Jacob Paul, EIT ph: 250 860 8185, fax: 250 860 0985 jacob@newtownservices.net

DRAWING LIST:

LANDSCAPE

ECORA ENGINEERING & RESOURCE GROUP LTD. 579 Lawrence Ave, Kelowna, BC, V1Y 6L8 Byron Douglas MBCSLA CSLA ph: 250.469.9757 x1089 byron.douglas@ecora.ca

DRAWING LIST:

COVER SHEET SITE PLAN SITE PLAN SITE PLAN LANDSCAPE DETAILS

NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING



project suzess
1975 Sharvon lake road
West Kelowma, BO

COVER SHEET

A0.0

SHANNON LAKE ROAD TOWNHOUSES

1975 Sharaon Lake Road, West Kelowna, BC

LEGAL DESCRIPTION: Let A, Detrict Let 2802, COYO, Flan KAP92694

GRADES: EXISTING AVERAGE - FLAT

NUMBER OF BUILDINGS: 13 TOWNHOUSE BUILDINGS

NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
www.howlownier/catca

ZONING ANALYSIS:

PROPOSED EXISTING ZOHING:

SITE DETAILS

PROPOSED

REQUIRED

RM3 ZONING REQUIREMENTS:

MINIMUM PARCEL AREA (m²) 1000 m²

MINIMUM USABLE PARCEL AREA (m²) 700 m²

MINIMUM PARCEL FRONTAGE (m)

MAX SITE COVERAGE FOR BUILDINGS (%): 40%

DEVELOPMENT REGULATIONS

ב	DEVELOPINENT REGULATIONS	NEIN	טפוע	2	CNI			
TOTAL	TOTAL NUMBER & TYPES OF UNITS:	OF UNITS:						
97 UNITS	5			7 2 2 7 N N N	UNIT As 28R UNIT 81s + 82s 38R UNIT C 36R	៩៨	TNS TNS	UNIT 81 + B2 38
BLDG 1	3 UNITS	BLDG 5 PLDG 6	4 UNITS	8LDG 9		BLDC	BLD 6 13	8 UNITS
BLDG 3	5 UNITS	RLDG 2	JUNITS 7 UNITS	8006 12 11 000 12	10 UNITS 7 UNITS			
FLOOR	FLOOR AREA (GFANFA):							
MAX 20,	MAX 20,656 m2 BASED ON 0.75 FAR	10.75 FAR		13.5	GFA = 6457.9 m² GFA FOR FAR = 15,127.8 m²	7.6 m²		
MAX. DE	MAX. DENSITY (FAR):							
97.0				980				
BUILDIN	BUILDING HEIGHT:							
3 STORE	3 STOREYS / 9m			4 STOREY	4 STOREYS / 11 Sm (9.3 TO T/O PARAPET)	TIOPA	RAPET	
SETBACKS:	:KS:							
FROM:	4.5 m			20 Om				
INT. SID.	INT, SIDE: 30 m			1697				
EXT SIC	EXT SIDE 4.5 m			MA				
REAR	7.5m			H9H				

194 STALLS 20 VISITOR STALLS (4 HC STALLS) / ON SITE

NUMBER OF PARKING STALLS: 2 PER 1 DMELLING UNIT = 194 10% OF TOTAL PARKING REO, FOR VISITORS = 20

MIN, OUTDOOR AMENITY SPACE: 25 m² per unit = 2,425 m²

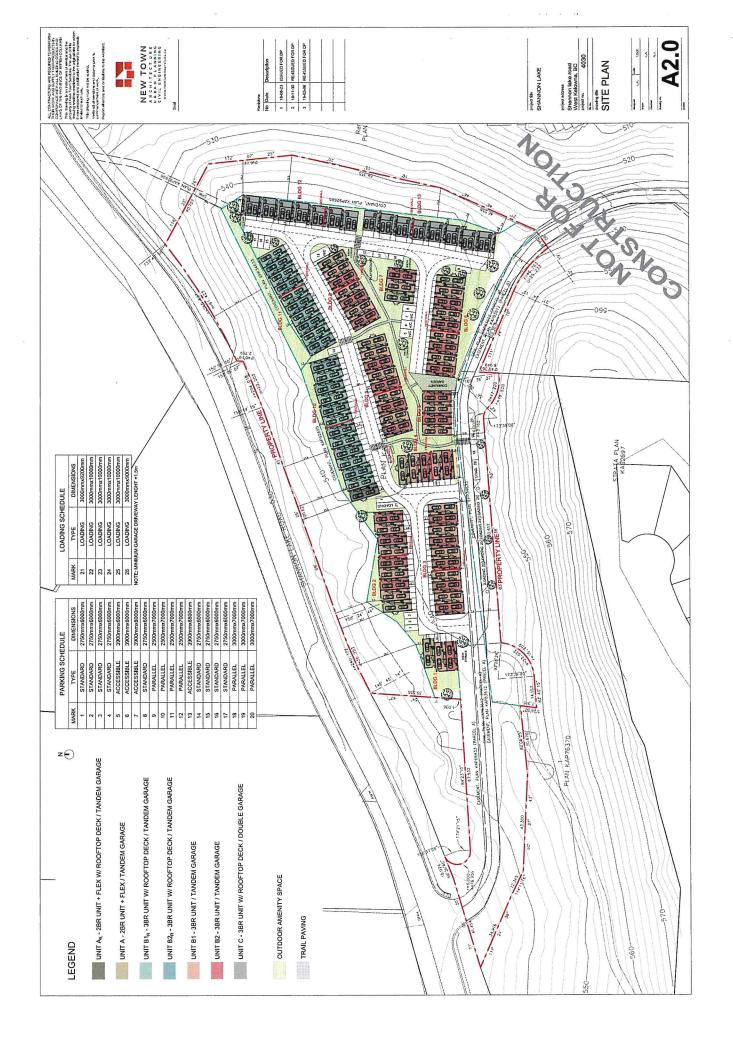


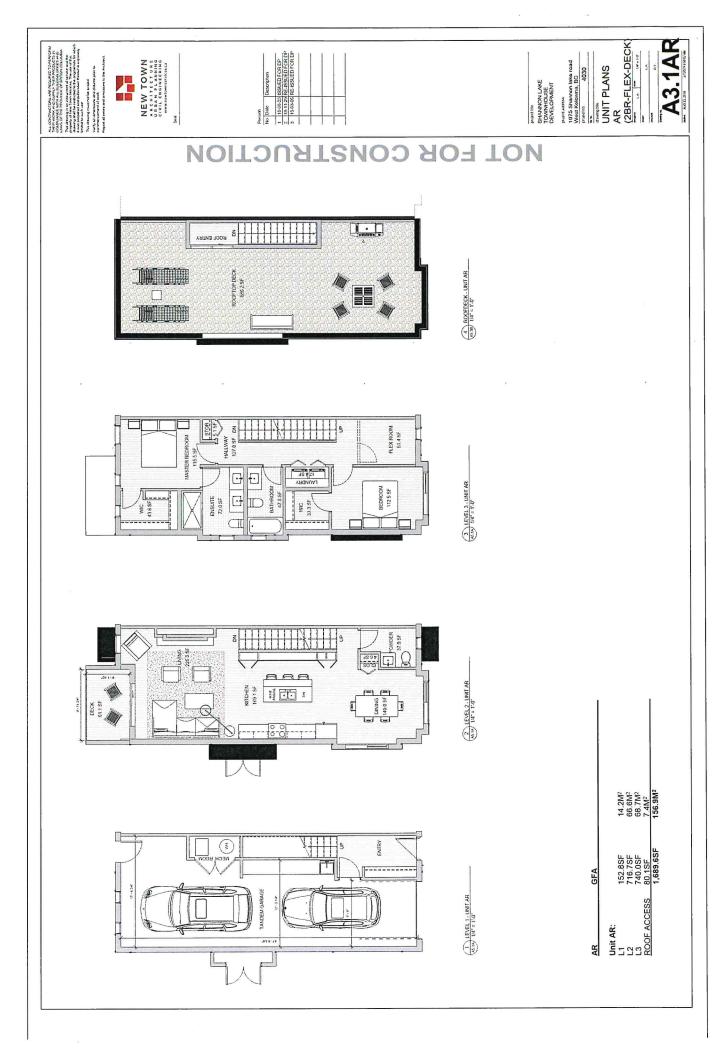


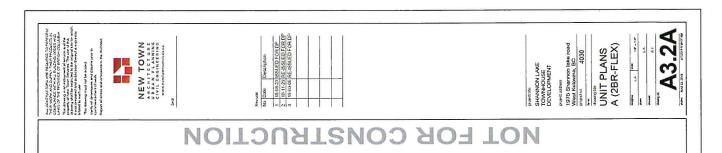
LON

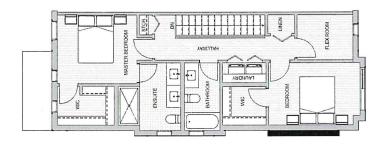
LOB

ZONING & CODE REVIEW

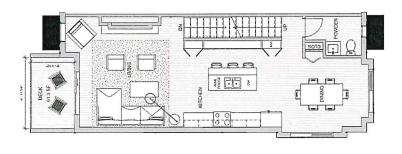








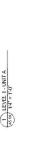




(E)



(2) LEVEL 2 - UNIT A



		14.2M ²	66.6M ²	68.7M ²	149.5M ²
GFA		152.8SF	716.7SF	740.0SF	1,609.5SF
A	Unit AR:	7	L2	L3	

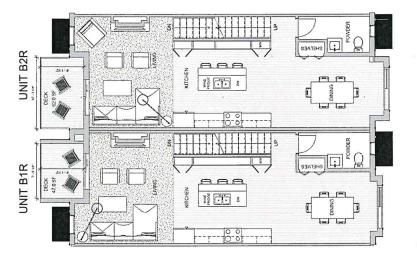
NEW TOWN
ARCHITECT URE
URBAN PLAHHING
CIVIL ENGINEERING
www.newfownservicel.ca

UNIT B2R

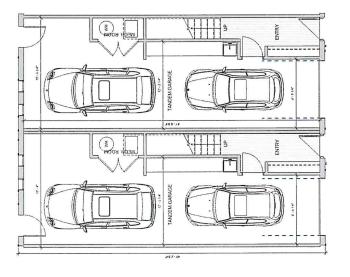
UNIT B1R

UNIT PLANS
B1R & B2R
(3BR-DECK)

NOITOUAT NOT FOR



2 LEVEL 2 - UNIT BIR & B2R

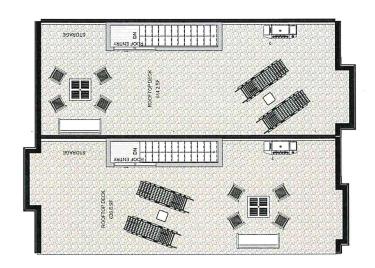


~	
B1R & B26	
1.UNIT	1.0.1
LEVEL	1/4, =
((AS 1A)

				30.00							
	14.2M²	64.6M ²	67.7M ²	7.4M ²	153.9M²		14.2M ²	65.3M ²	67.2M ²	7.4M ²	154.1M ²
GFA	152.8SF	695.4SF	728.9SF	80.1SF	1,657.2SF	GFA	152.8SF	703.3SF	723.3SF	80.1SF	1,659.5SF
B1R	L1	12	L3	ROOF ACCESS		B2R	1	7	L3	ROOF ACCESS	



NOT FOR CONSTRUCTION



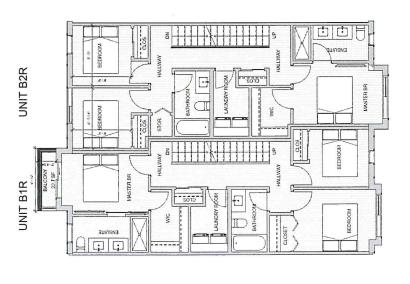
NEW TOWN
A REALITECT URE
CARLE COLLINERING
COVIC COLLINERING
COVIC

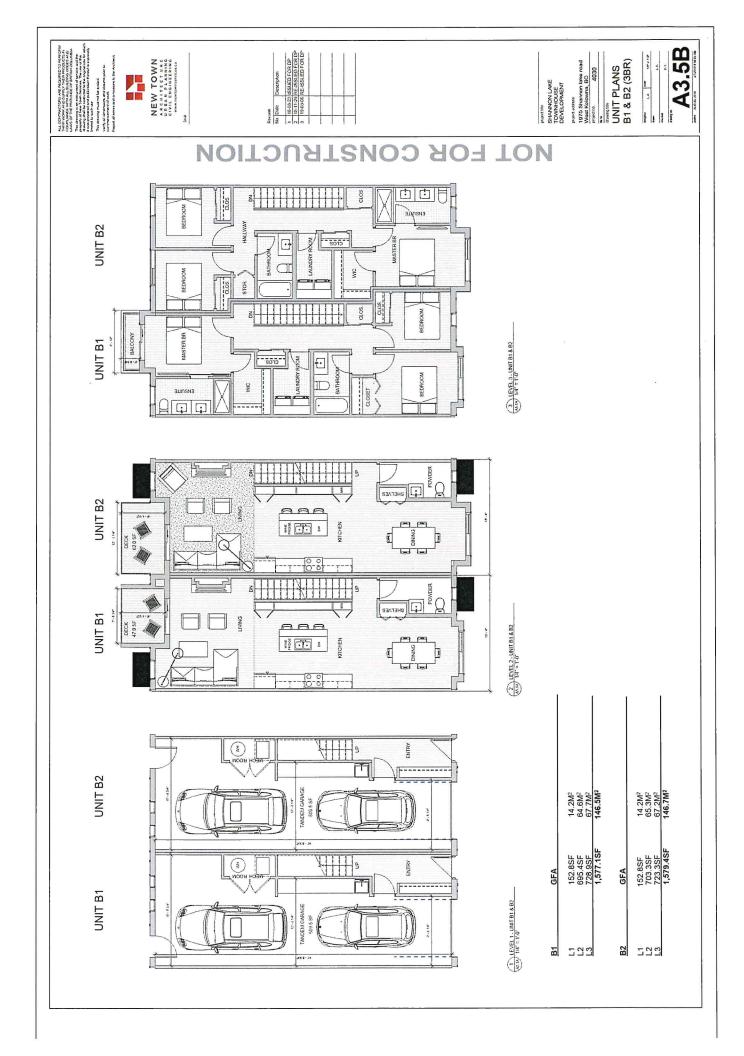
UNIT B2R

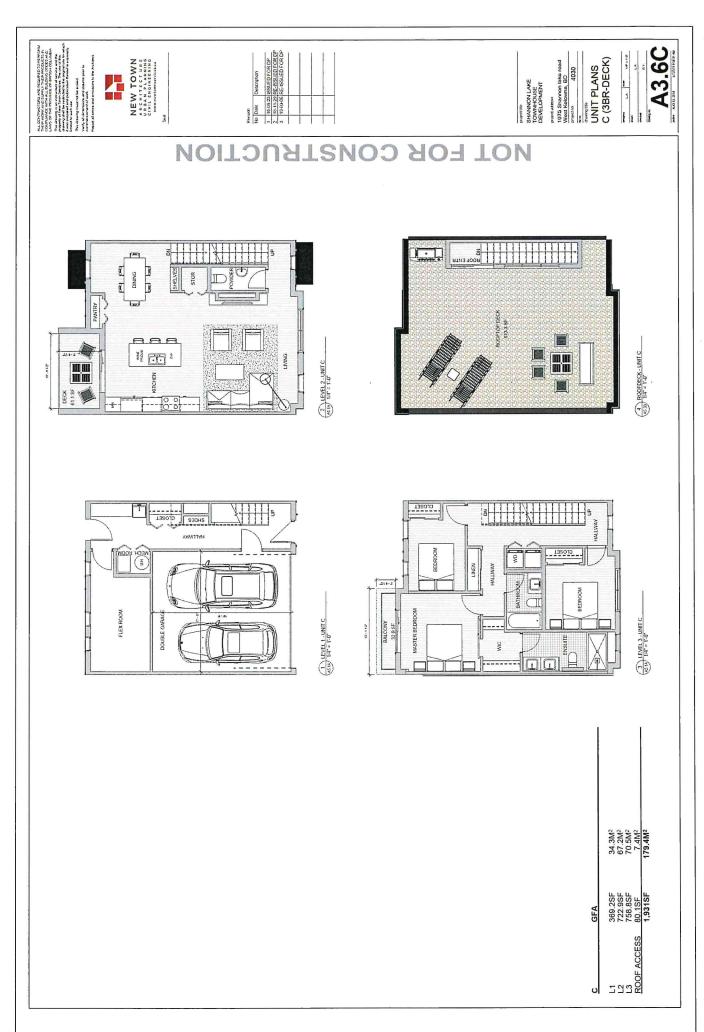
UNIT B1R

2) ROOFDECK - UNIT BIR & B2R

(1) LEVEL 3 - UNIT B1R & B2R (6) 1/4" = 1.0"







HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS & SATIN NICKEL ALUMINUM REVEAL (#14)

HARDIE REVEAL PANEL ACCENT COLORS (#5)

8629 WS Iceberg

SAMPLE (FOR COLOR PURPOSES ONLY)

Interior / Exterior Locator Number: 272-C6

(#5)



SAMPLE (FOR COLOR PURPOSES ONLY) SW 7005 Pure White

(#1) SAMPLE (FOR COLOR PURPOSES ONLY)

SAMPLE (FOR COLOR PURPOSES ONLY) SW 7671 On the Rocks SW 7674 Peppercorn

SW 9119

NEW TOWN
ARCHITECT URE
ORBAN PLANNING
CIVIL ENGINEERING
MMENGENORMANICALA

UNIT NUMBERS DISTINCTIONS BY HILLMAN 5-INCH FLOATING MOUNT BRUSHED NICKEL (#12)

MASONITE UTILITY STEEL DOOR FULL LITE W/ PEARL (LAM) GLASS 48° SQUARE DOOR HANDLE W/ WEISER SQUARE DEADBOLT W/ COLORS ALTERNATING FROM DOOR TO DOOR (#7)



SW 7595 Sommelier

Sizes: 16" 24" 32" 36" 48" 70"

DOUBLE GLAZED WINDOWS W/ BLACK FRAMES (#8)

Locator Number: 209-C1 Dirty Martini Interior / Exterior



GARAGE DOOR SMOOTH SLAB - PEPPERCORN SW7674 (#6)







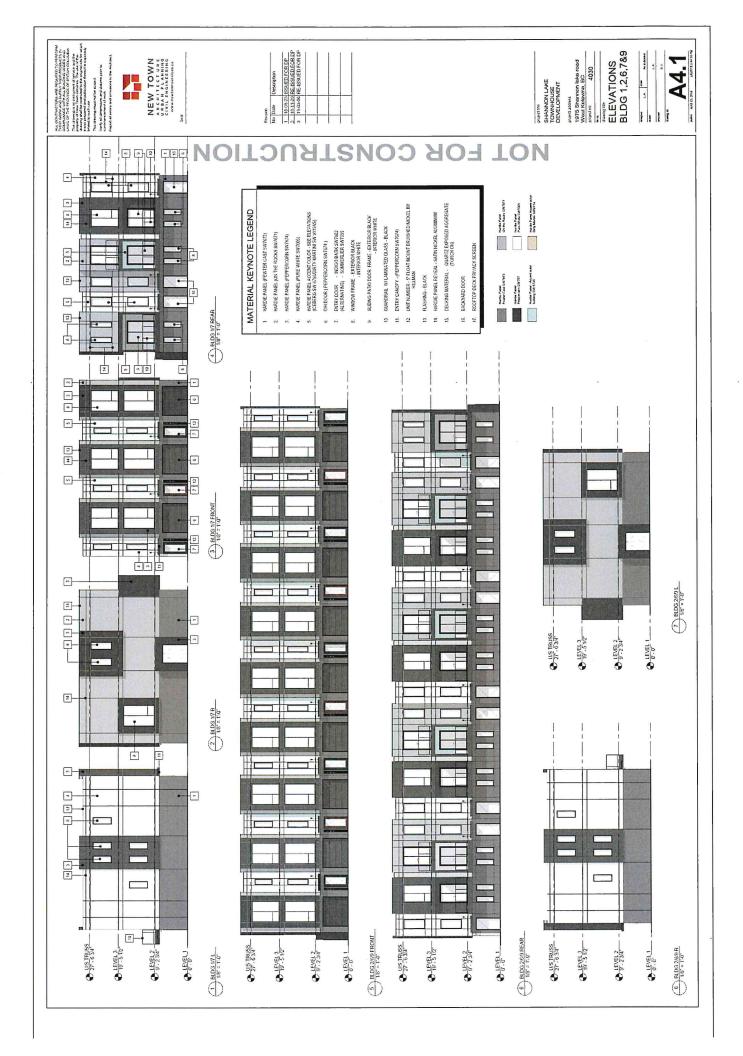


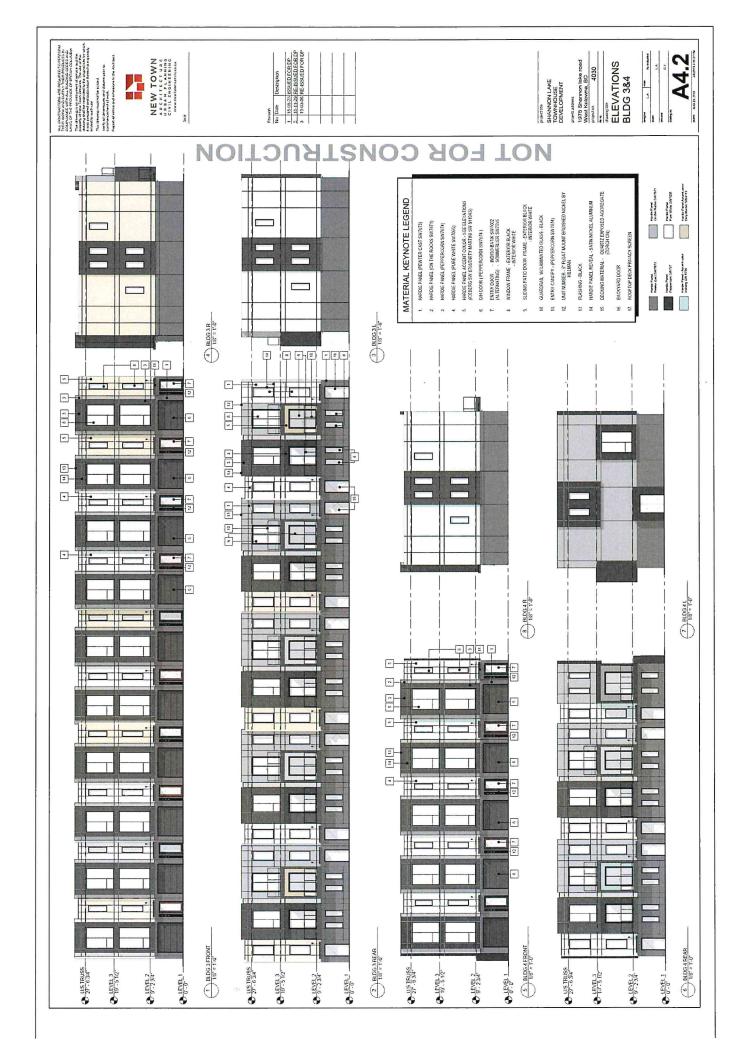


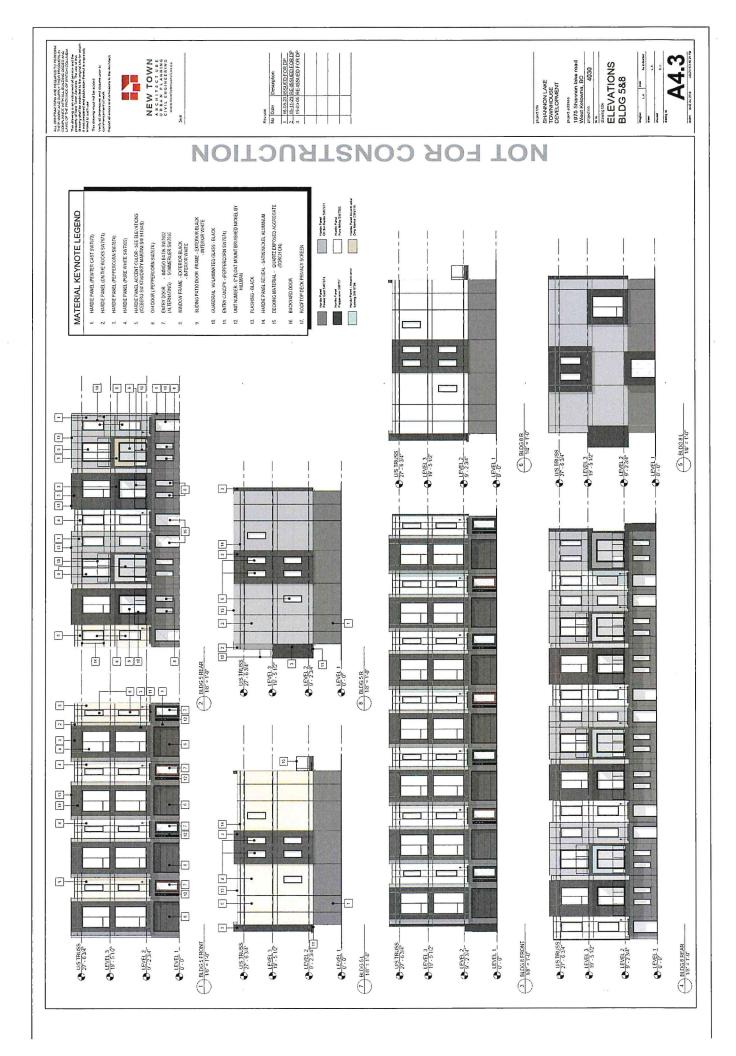
LION I

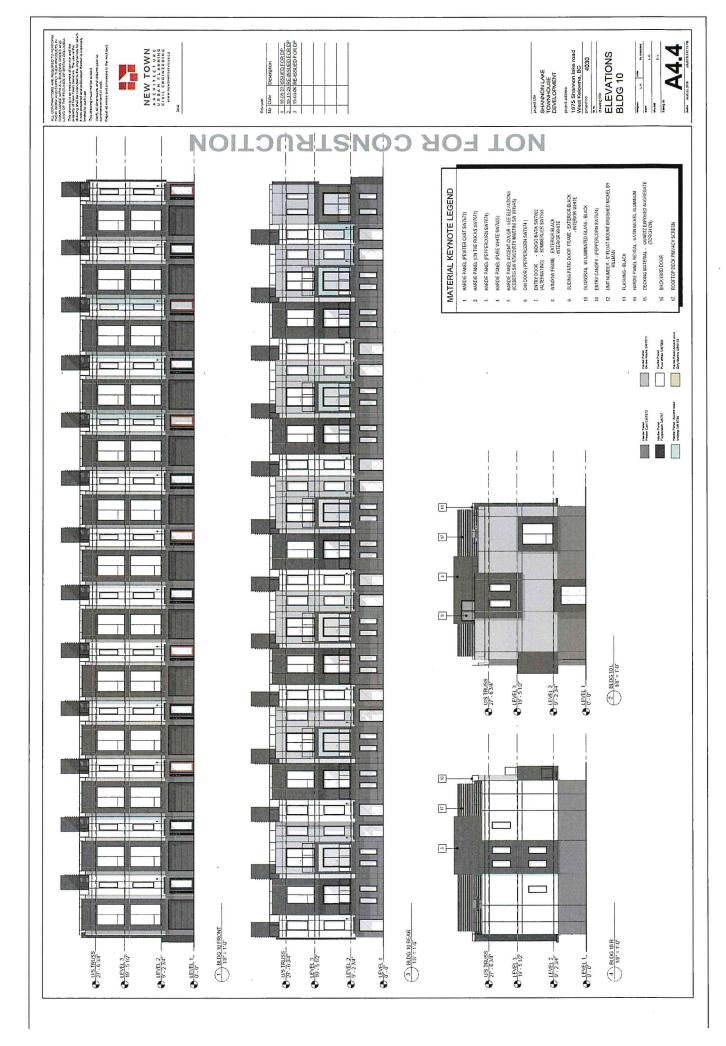
1975 Sharvon lake road Woat Kelovana, BC A030 Creption 4030 Creption A030 Creption Credit like MATERIAL BOARD

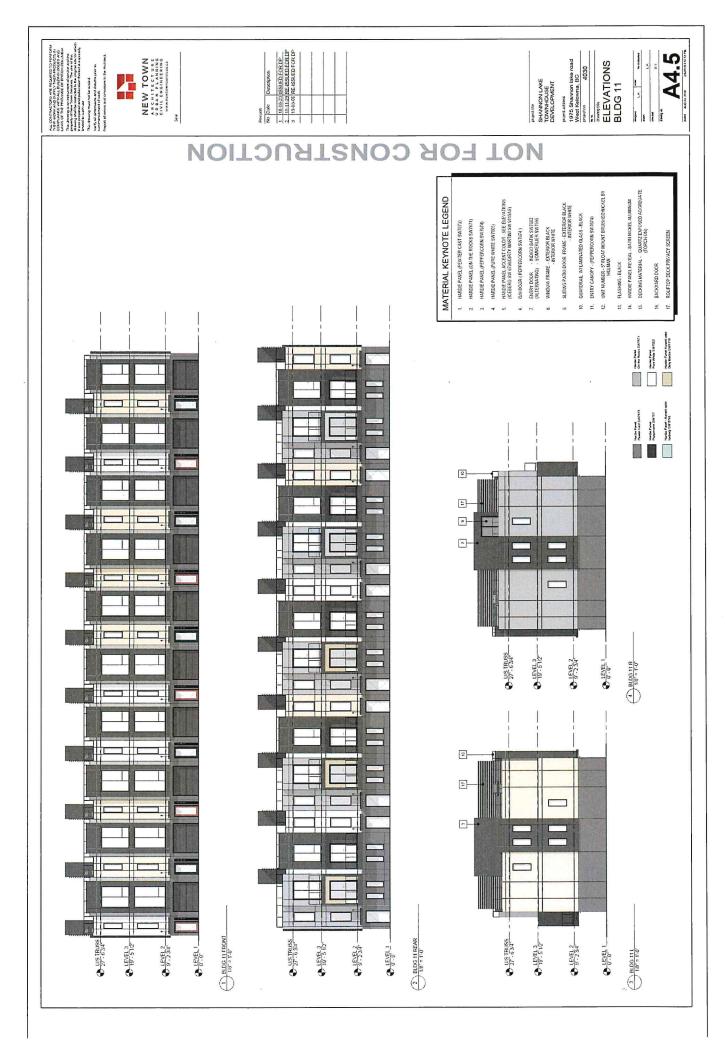
A4.0

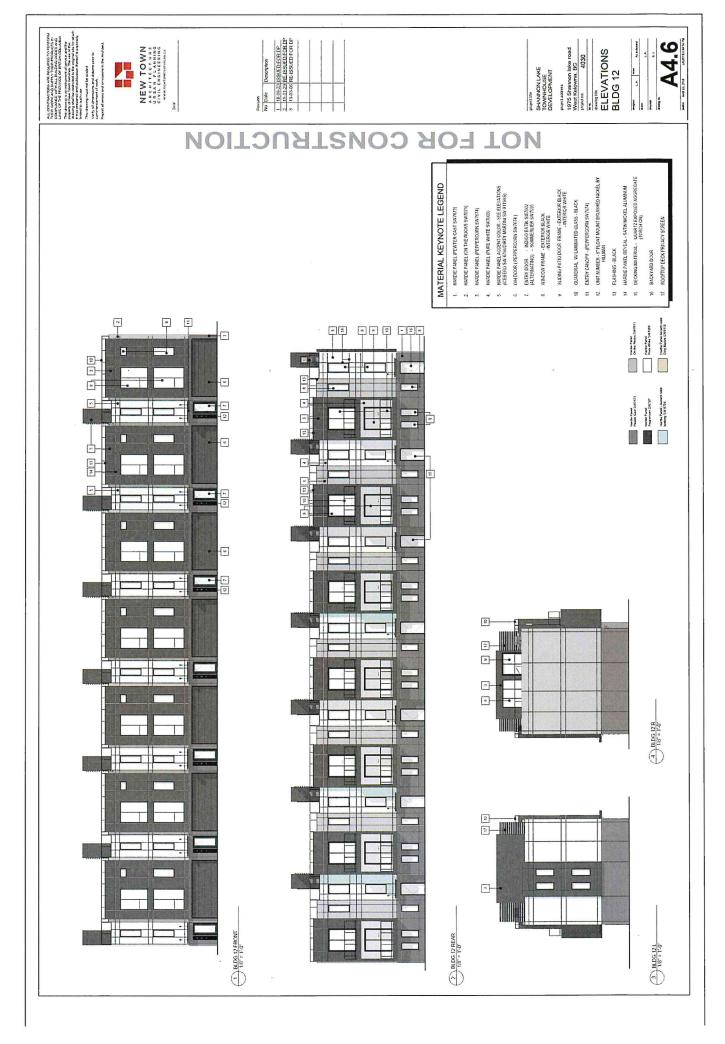


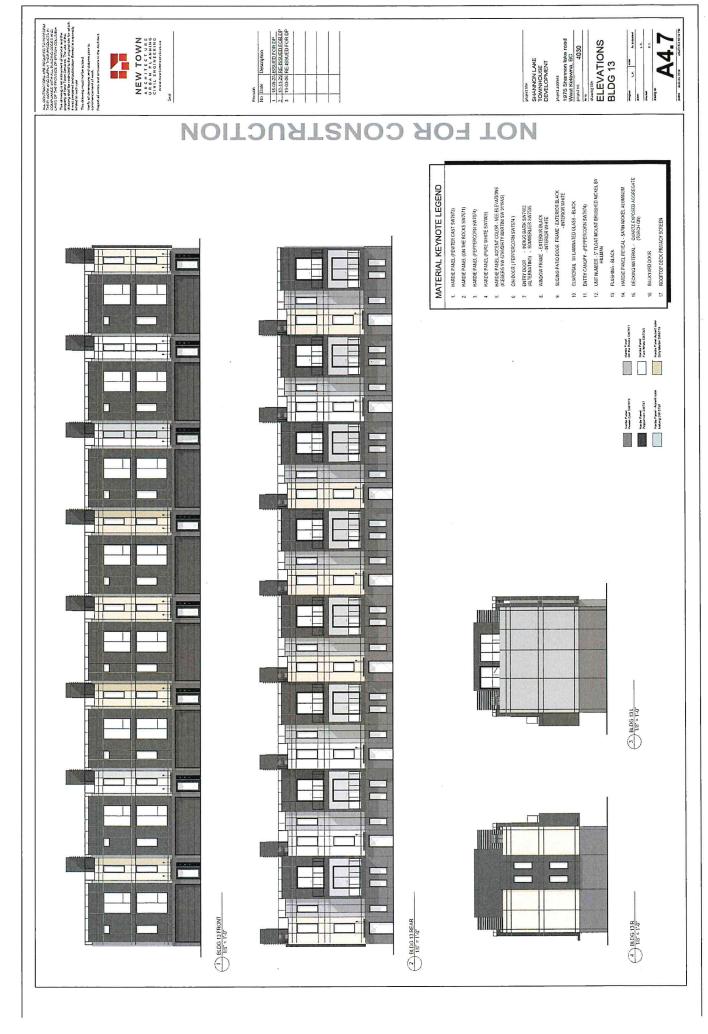






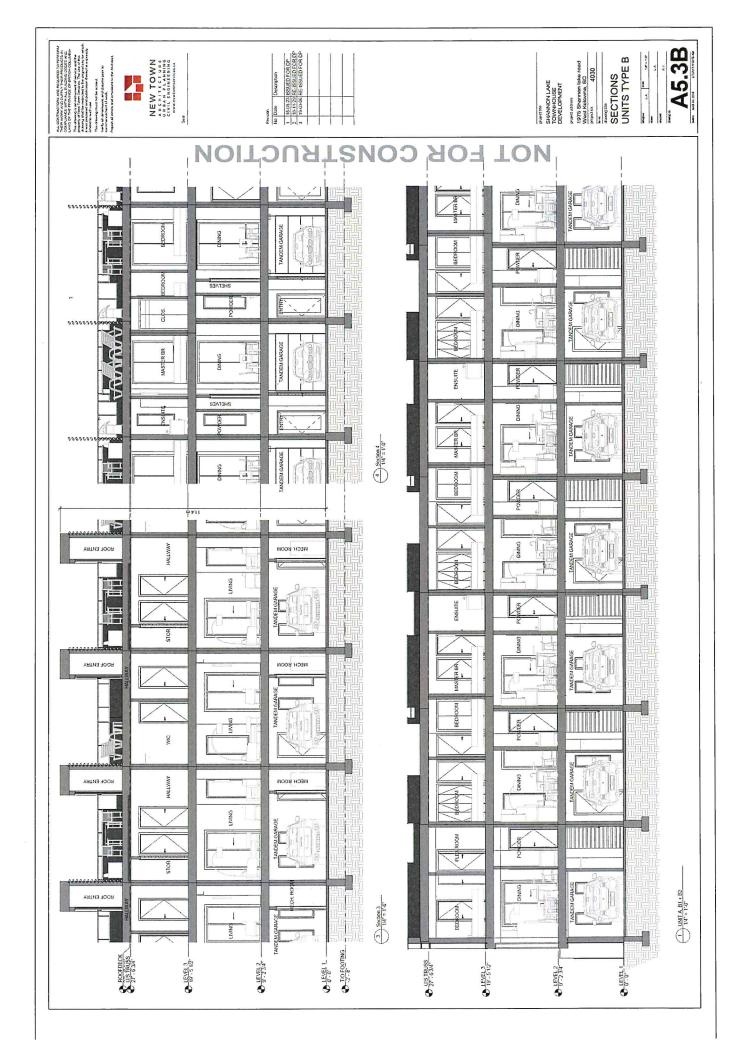








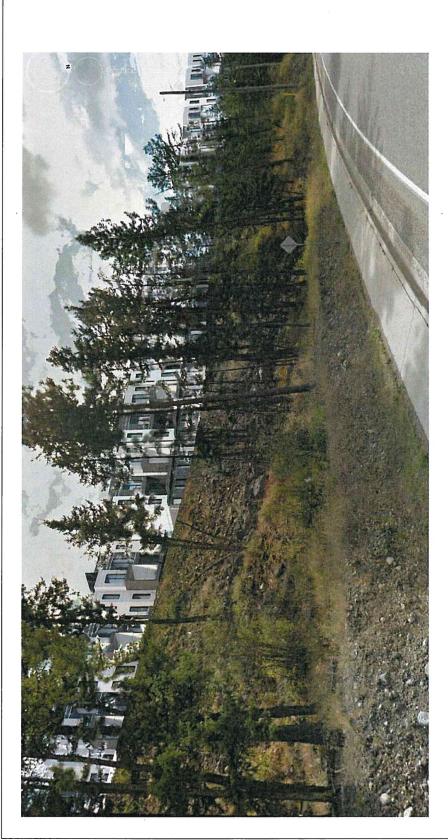






NOT FOR CONSTRUCTION





NEW TOWN
A ROUTE CT URE
CLEAN CELLINE BRING
EVALUATION OF CHILD CENTER
EVAL

NOT FOR CONSTRUCTION



Proper James
Wast Redowns Bro
Wast Redowns Bro
Properto. 4030

Ameni Internation
DEVELOPMENT
VIEW 2

A9.2



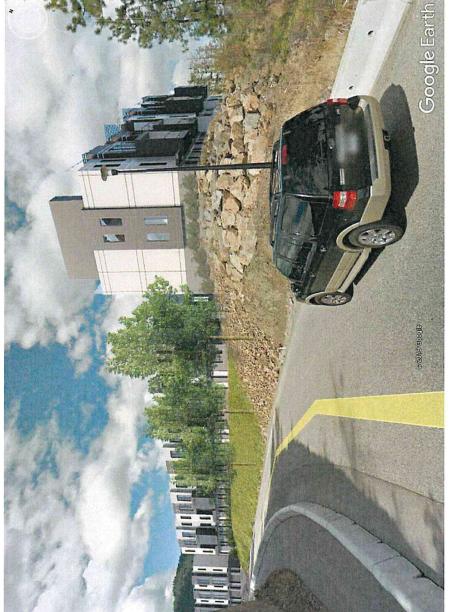




NOT FOR CONSTRUCTION



KEYPLAN - VIEW LOCATION



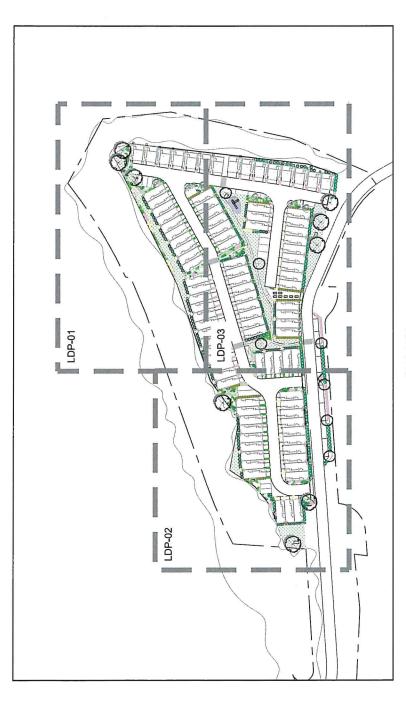
NOT FOR CONSTRUCTION



Samples 4030
DEVELOPMENT
VIEW 4

KEYPLAN - VIEW LOCATION

1975 SHANNON LAKE ROAD TOWNHOUSES LANDSCAPE DEVELOPMENT PERMIT



2018.11.20 INDEX OF DRAWING SHEETS

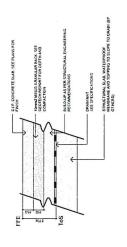
ITE PLAN L03	COVER SHEET L00 SITE PLAN L01	DRAWINGS SHEET TITLE DRAWING SHEET NO. COVER SHEET LO
	SITE PLAN LO2 SITE PLAN LO3	



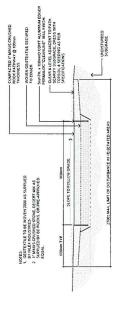




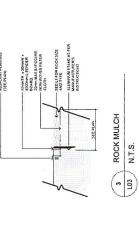


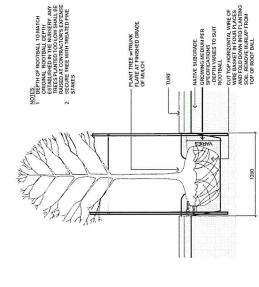


CONCRETE PAVING
L03 N.T.S.



GRAVEL PATHWAY N.T.S. [503]





6 TREE PLANTING
L03 N.T.S.

SHRUB PLANTING
L03 N.T.S.

LAWN PLANTING
L03 N.T.S.

POTES

CONTRACTOR TO THE COLT CHERCULE AWAY

TOWN AND TOTAL SA CA NOT TO DOTTING

CONTRACTOR TO THE COLT CHERCULE AND THE COLT CHERCULE TO THE CHERCULE TO THE COLT CHERCULE TO THE CHERCULE TO THE COLT CHERCULE TO THE COLT CHERCULE TO THE COLT CHERCULE TO THE COLT CHERCULE TO THE C

CONCRETE LIBERTO
CONCRETE LIBERTO
CONCRETE LIBERTO
CONCRETE LIBERTO
COCCOUNT LEAGURA
COCCOUNT LEAGURA
COCCOUNT LEAGURA
COCCOUNT
C

ADJACENT SURFACE

PROJECT:
SHANNON LAKE TOWNHOMES, KELOWNA, B.C
QUENT
NEW TOWN SERVICES



DETAILS			Project No. LK-18-159-XSB			
DRAWN EL	CHKD: BD	DATE: 0330/18		SCALE, AS NOTED		
			DEJECTION FOR DEVELOPMENT DEDUCT	ACTION OF STREET	ISSUED FOR DEVELOPMENT PERMIT	REVISION
		0.0000000000000000000000000000000000000	01/04/11	01107/11	03/30/18	DATE (MMDDNY)
			-	-	Þ	8
						SEAL

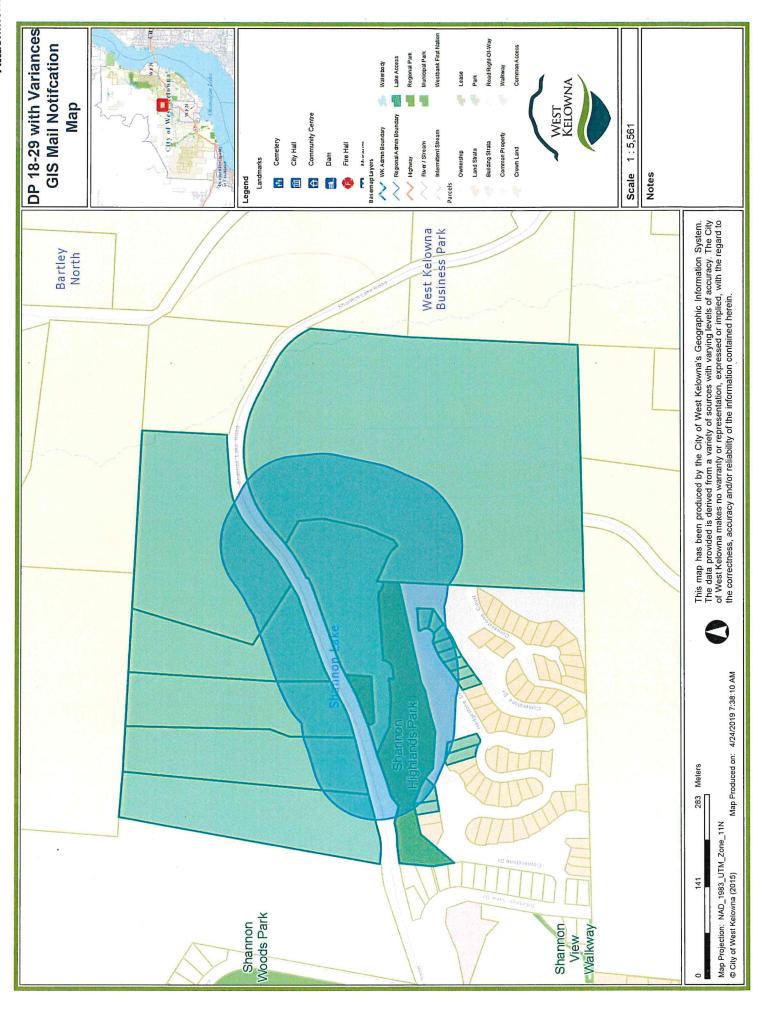
APPLICANT RATIONALE FOR VARIANCES (DP 18-29)

HEIGHT

The homes are arranged in contemporary styled blocks along a walkable street. Private patios and balconies are offered in all homes and ridge side homes also have rooftop terraces. Sheltered stairways lead to the rooftop terrace thus triggering a height variance in the number of storeys. Although some jurisdictions don't count roof access as a storey, the West Kelowna Zoning Bylaw does not exempt these structures from the height calculation. A variance to allow a maximum height of 11.4 m will be required.

LOADING SPACES

The site plan has the loading spaces within the development property skirting the access road. This location, although not ideal, satisfies the bylaw requirement, is not visible from offsite property and is duly screened by the proposed townhomes from Shannon Lake Road. Amendment to the location is not practical. Finally it is understood that the draft Zoning Bylaw is addressing the inordinately high need for loading within multiple residential development. Please note, the City of Kelowna does not require any loading for multiple family residential developments.



----Original Message---From: BRIAN CRYER <

Sent: May-05-19 3:46 PM

To: info west kelowna <info@westkelownacity.ca>

Subject: DP 18-29 Notice for Development Permit with Variance.

Attn: City Clerk,

Re: Written submission regarding the development permit and effects approval will have on residents of Crystal Springs (1850 Shannon Lake Road) specifically unit #52.

I wish to bring the following items forward and hopefully affect resolution to them at the upcoming hearing. The items are:

1. We ARE NOT opposed to the construction of the Townhome Project next to our property but rather would appreciate these few items be considered to allow a seamless transition. The first is a speed and traffic flow issue down Shannon Lake road. Until two years ago, we had a slow to 30kmh sign and enforcement by the curve approaching our Main gate entrance. That is not the case now and, with a higher traffic volume from the proposed project, it is extremely difficult to exit or enter our complex safely. Could this be looked at and a resolution from traffic dept. be attached in the issue of the permit?

2. As the hill directly behind our row of houses is rocky and very steep, we would ask that a design of a safeguard to prevent rocks, boulders or other dangerous projectiles from being pushed, tossed or in any way moved to coming down the hill and causing injury or severe damage to the residents or homes below.

I believe these are reasonable requests and , if dealt with at this stage, will set the tone for a very harmonious addition to our wonderful neighbourhood.

I thank you for the opportunity to express our very real concerns.

Brian and Patti Cryer #52-1850 Shannon Lake road West Kelowna, B.C.

~ PLEASE ~

If you forward this, PLEASE REMOVE my email address before you send it on. Thanks!

From: Averil & Wayne HORNER

Sent: May-14-19 12:59 PM

To: Jaleen Rousseau < Jaleen.Rousseau@westkelownacity.ca>

Subject: DP 18-29

Good morning.

I called the office yesterday as rumor had it there was going to be a meeting about this 97 unit building proposed at the top of our street.

We were expecting to get a mail out, which we did not, but according to your office a mail out was sent to 1850 and 2025 Shannon Lake Rd. I understand that a few at 1850 received them, how I don't know, but I do know that none of the 20 units at 2025 RECEIVED A MAIL OUT.

Anyway we were saddened to hear that a non age restriction building was going up in an area of 55+ homes. We are concerned about traffic, which has doubled since the new bridge by 1850, that will be using our entrance, or will they. The volume will be ridiculous unless some changes are in order. Also will there be home rentals allowed?

These are just a few concerns that we had hoped to voice once we received the mail out (which we did not receive) regarding a meeting.

Please let me know if we can meet or if let us know what is planned and how we can be involved.

Thanks - concerned homeowner

Averil & Wayne Horner

#4 - 2025 Shannon Lake Rd

Treasure View Estates